



July 19, 2019

Matt Chapman
Free Our Info
Via email at 76328-50050111@requests.muckrock.com

Dear Mr. Chapman,

City of Chicago
Lori E. Lightfoot, Mayor

Department of Law
Mark A. Flessner
Corporation Counsel

121 North LaSalle Street
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On behalf of the City of Chicago Department of Law, I am responding to your Freedom of Information Act (“FOIA”) request which was dated July 11, 2019 and received in our offices on July 12, 2019. You requested:

Requesting all intergovernmental agreements from 2000 to the present date.

Your request is still unduly burdensome under Section 3(g) of FOIA. Section 3(g) of FOIA provides that “requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.”

As described in the response to your previous FOIA request, the Law Department has dozens of intergovernmental agreements for numerous projects even going back to 2000. The intergovernmental agreements are located within the Law Department’s files for each project, and there is no central repository of intergovernmental agreements. Thus, the Law Department would need to pull numerous boxes from of warehouse and search through these boxes manually to find any responsive intergovernmental agreement. This would take dozens of hours of Law Department time and present a clear undue burden on the Law Department’s time and resources.

Additionally, the statute you cite in your narrowed FOIA request does not appear relevant to this FOIA request. You claim that 5 ILCS 220/3.2 is of note to this request. However, that statute plainly states “[a]ny two or more municipalities, counties or combination thereof may, by intergovernmental agreement, establish a Municipal Joint Action Agency to provide for efficient and environmentally sound collection, transportation, processing, storage and disposal of municipal waste.” 5 ILCS 220/3.2(a). The rest of the statute deals with how such as municipal waste Municipal Joint Action Agency should operate, and does not address how the Law Department or City of Chicago should maintain its intergovernmental agreements

It is necessary that your FOIA request be narrowed and clarified. If you would like assistance in narrowing your request, please contact me, and I will assist you. You can narrow your request by asking for a specific intergovernmental agreement you are interested in. Otherwise, for the reasons provided above, the Law Department is unable to respond to your FOIA request as currently drafted.

If you agree to narrow your request, you must submit a revised written request to my attention. The Law Department will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen calendar days of the date of this letter, your current request will be denied.

In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you have the right to have a denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, (877) 299-3642. You also have the right to seek judicial review of your denial by filing a lawsuit in Cook County Circuit Court.

Sincerely,

Tom Skelton
FOIA Officer – Department of Law